

REMARKS

This Amendment is submitted in response to the Office Action dated March 22, 2006, having a shortened statutory period set to expire June 22, 2006. Proposed amendments to the Claims include amending Claims 1-3 and 5-6, cancelling Claim 4, and adding Claim 9. Upon entry of the proposed amendments, Claims 1-3 and 5-9 will now be pending.

Applicants appreciate the time and courtesy extended by Examiner Stoyrnor and Supervisor Browne during a June 21, 2006 teleconference. An agreement was reached that Claim 1, as presently amended, is not taught or suggested by the cited prior art. If Applicants' undersigned representative has misunderstood this agreement, telephonic notification at the Examiner's earliest convenience would be greatly appreciated.

Double Patent Rejection

On Page 2 of the present Office Action, the Examiner has presented a non-statutory obviousness-type double patenting rejection against co-pending U.S. Patent Application Nos. 10/674,776, 10/675,624 and 10/698,207. Appropriate terminal disclaimers are enclosed herein, and thus this rejection should be withdrawn.

Claim Objection

On Page 4 of the present Office Action, Claim 1 is objected to for the typographical error found at the end of line 1, in which the term "method" is used instead of "service." The present amendment corrects this error, and thus the objection should be withdrawn.

Rejection under 35 U.S.C. § 112

On Page 4 of the present Office Action, Claims 4-5 are rejected under 35 USC 112, second paragraph, for lack of antecedent basis for the term "the designated administrator." The

present amendment rectifies this error by cancelling the base claims that contain the offending term, and thus the rejection should be withdrawn.

Rejection under 35 U.S.C. § 103

On Page 5 of the present Office Action, Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Zimmer et al.* (U.S. Patent Application Publication No. 2004/0193867 – “*Zimmer*”) in view of *Schell et al.* (U.S. Patent No. 6,314,520). Applicants respectfully traverse these rejections.

With regards to exemplary **Claim 1**, the combination of the cited art does not teach or suggest “storing a list of trusted Pre-boot eXecution Environment (PXE) boot program servers in an interface service card coupled to a client computer on a network, the interface service card also being coupled to a hyper-secure remote service network that includes a remote supervisor computer, wherein the remote supervisor computer controls the storage of the list of trusted PXE boot program servers in the interface service card”, as supported in the present specification at paragraph [0017].

Zimmer is cited for teaching that a server can be securely connected to a client to download boot images (*Zimmer* Figures 1 and 4). Examiner notes that *Zimmer* fails to disclose storing a list of trusted configuration servers in the client computer. However, at col. 2, lines 30-35, col. 3, lines 6-11, col. 4 line 64 to col. 5, line 2, and col. 5, lines 13-22, *Schell* teaches that a NIC can store addresses of trusted servers, which are compared to the source address of incoming packets.

The Examiner’s position, as understood by the Office Action and the June 21, 2006 teleconference, is essentially that *Zimmer* teaches that a server can control a client, *Schell* teaches that a client computer can store a list of trusted servers in the client computer’s NIC, so therefore the combination teaches that a secure server can store the list of trusted computers in the client computer.

Consider now *Schell* at col. 6, lines 8-20:

“Initialization continues with step 124 wherein the CPU executes the program instructions resident in the NIC BIOS 65 (FIG. 3) to initialize the hardware in the NIC. Following hardware initialization, the CPU downloads the pre-boot modules from the server in step 126 and in step 128, executes these pre-boot modules to perform the identification and authorization function associated with the login process described in FIG. 6. In addition the CPU loads the registers of the NIC's send address confirmation circuitry 66 and the receive address confirmation circuit 88 (FIG. 3) with values stored in the NIC BIOS ROM. In an alternative embodiment, the pre-boot modules may be stored in the NIC BIOS.”
(emphasis added)

As stated in Section 2143.03 of the MPEP, it is axiomatic that the prior must teach or suggest every claim limitation. Neither *Schell* nor *Zimmer* teaches a supervisory computer storing a list of trusted configuration servers in the client computer. The combination of *Zimmer* (a supervisory computer) with *Schell* (a client computer loading the list in a NIC) does not teach or suggest the limitation of the supervisory computer storing the list in the client. That is, the combination of the cited art teaches that the information as to which server is to be trusted comes NOT from a remote supervisory computer, but from the client computer itself (i.e., from the client computer's NIC BIOS). There is no suggestion that the storage of such a list may come from, and be under the control of, a remote supervisory computer. The fact that a server can control a client does not teach or suggest the scenario in which the remote supervisory computer performs the storing of the list of trusted configuration servers in the client computer.

With regards to exemplary Claim 3, the combination of the cited art does not teach or suggest “upon determining that the responding configuration server is not on the list of trusted configuration servers, generating an alert...of an unauthorized configuration server.” *Zimmer* is cited at paragraph [0044] for teaching this feature. However, *Zimmer* teaches sending a message to an administrator if no boot option offers were received. Claim 3 is directed to sending a message to an administrator if the responding configuration server is not on the trusted list.

While the client computer may end up in the same condition (not getting a boot), teaching a possible result is not the same as teaching a limitation.

Regarding exemplary new **Claim 9**, the cited art does not teach or suggest “wherein the remote supervisor computer is part of an Information Technology (IT) services organization that manages various types of Pre-boot eXecution Environment (PXE) deployment servers, and wherein the IT services organization enables a same IT service organization assigned systems administrator to manage the various types of PXE deployment servers, to maintain permission lists for each PXE server type, to monitor a network for a presence of unauthorized PXE servers that are not authorized, by the IT services organization, to support the client computer, and to shut down network ports, for unauthorized PXE servers, in the client computer,” as supported in paragraph [0021] of the present application.

CONCLUSION

For the reasons stated above, Applicants now respectfully request a Notice of Allowance for all pending claims.

Applicant further respectfully requests the Examiner contact the undersigned attorney of record at 512.617.5533 if such would further or expedite the prosecution of the present Application.

No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application, including any required fees associated with the included Terminal Disclaimers, to **IBM CORPORATION DEPOSIT ACCOUNT No. 50-0563**.

Respectfully submitted,



James E. Boice
Registration No. 44,545
DILLON & YUDELL LLP
8911 North Capital of Texas Highway
Suite 2110
Austin, Texas 78759
512.343.6116

ATTORNEY FOR APPLICANT(S)